

From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rules 44bis.3(c) and 72.2)

To:

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Bartels und Partner  
Patentanwälte  
Eingegangen:  
Received: 02. NOV. 2006

TERMIN .....

Date of mailing (day/month/year) 26 October 2006 (26.10.2006)	<b>IMPORTANT NOTIFICATION</b>
Applicant's or agent's file reference 40cdh/229251	
International application No. PCT/EP2004/014051	International filing date (day/month/year) 10 December 2004 (10.12.2004)
Applicant HYDAC TECHNOLOGY GMBH et al	

## 1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

## 2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

## 3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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Authorized officer

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## PATENT COOPERATION TREATY

## PCT

02. Nov. 2006

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 40cdh/229251	<b>FOR FURTHER ACTION</b>		See item 4 below
International application No. PCT/EP2004/014051	International filing date ( <i>day/month/year</i> ) 10 December 2004 (10.12.2004)	Priority date ( <i>day/month/year</i> ) 16 January 2004 (16.01.2004)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant HYDAC TECHNOLOGY GMBH			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Box No. I | Basis of the report   |
| <input type="checkbox"/> Box No. II           | Priority  |
| <input type="checkbox"/> Box No. III          | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/> Box No. IV           | Lack of unity of invention  |
| <input checked="" type="checkbox"/> Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> Box No. VI           | Certain documents cited   |
| <input type="checkbox"/> Box No. VII          | Certain defects in the international application  |
| <input type="checkbox"/> Box No. VIII         | Certain observations on the international application   |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis.2).

Date of issuance of this report  
18 October 2006 (18.10.2006)

Authorized officer

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# PATENT COOPERATION TREATY

TRANSLATION

From the  
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year)	<b>See Form PCT/ISA/210 (sheet 2)</b>
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Applicant's or agent's file reference <b>40cdh/229251</b>		FOR FURTHER ACTION See paragraph 2 below	
International application No. <b>PCT/EP2004/014051</b>	International filing date (day/month/year) <b>10.12.2004</b>	Priority date (day/month/year) <b>16.01.2004</b>	
International Patent Classification (IPC) or both national classification and IPC <b>F15B1/24, F16L55/04</b>			
Applicant <b>HYDAC TECHNOLOGY GMBH</b>			

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/014051

Box No. I Basis of this opinion.

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language  
\_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing  
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format  
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/EP2004/014051

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>2, 3, 6</u>	YES
	Claims	<u>1, 4, 5, 7, 8</u>	NO
Inventive step (IS)	Claims	<u>6</u>	YES
	Claims	<u>1-8</u>	NO
Industrial applicability (IA)	Claims	<u>1-8</u>	YES
	Claims	<u></u>	NO

2. Citations and explanations:

Reference is made to the following documents:

D1: US-B1-6 612 339 (WILKE WESTLEY J ET AL) 2 September 2003 (2003-09-02)

D2: US-A-5 363 744 (PICHLER ET AL) 15 November 1994 (1994-11-15)

D3: US-A-5 992 948 (GOWDA ET AL) 30 November 1999 (1999-11-30)

D4: EP-A-O 261 293 (SOCIETE ANONYME DITE LE JOINT FRANCAIS) 30 March 1988 (1988-03-30)

D5: PATENT ABSTRACTS OF JAPAN Vol. 2000, No. 15, 6 April 2001 (2001-04-06)-& JP 2000 346002 A (NOK CORP), 12 December 2000 (2000-12-12)

1. D1 shows all of the features of claim 1, i.e:  
a piston-type accumulator 10 with a separator piston 30 axially displaceable within an accumulator housing 12, the said separator piston separating two spaces from each other inside the accumulator housing, wherein the said separator piston is composed predominantly of a synthetic material (see column 4, lines 7-9).

2. The other documents cited in the search report are also prejudicial to the novelty of the subject matter of

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2004/014051

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

claim 1:

- D2: see in particular the separator piston 14 made of synthetic material (column 3, lines 16-31),
- D3: see in particular the separator piston 72 made of synthetic material (column 3, line 56 to column 4, line 38),
- D4: see in particular the separator piston 2 made of synthetic material (column 2, lines 5-32),
- D5: see in particular the separator piston 1 made of synthetic material (title and figure 1-2).

3. Claims 2-3 cannot be considered to involve inventive step in comparison with the piston disclosed in D1, as fibreglass reinforced synthetic materials are generally known.

4. The features of claims 4-5 and 7 are disclosed in D1 (see the reinforcement bars 62).

5. The features of claim 8 are disclosed in D5 (see the two grooves 15 in figure 1).